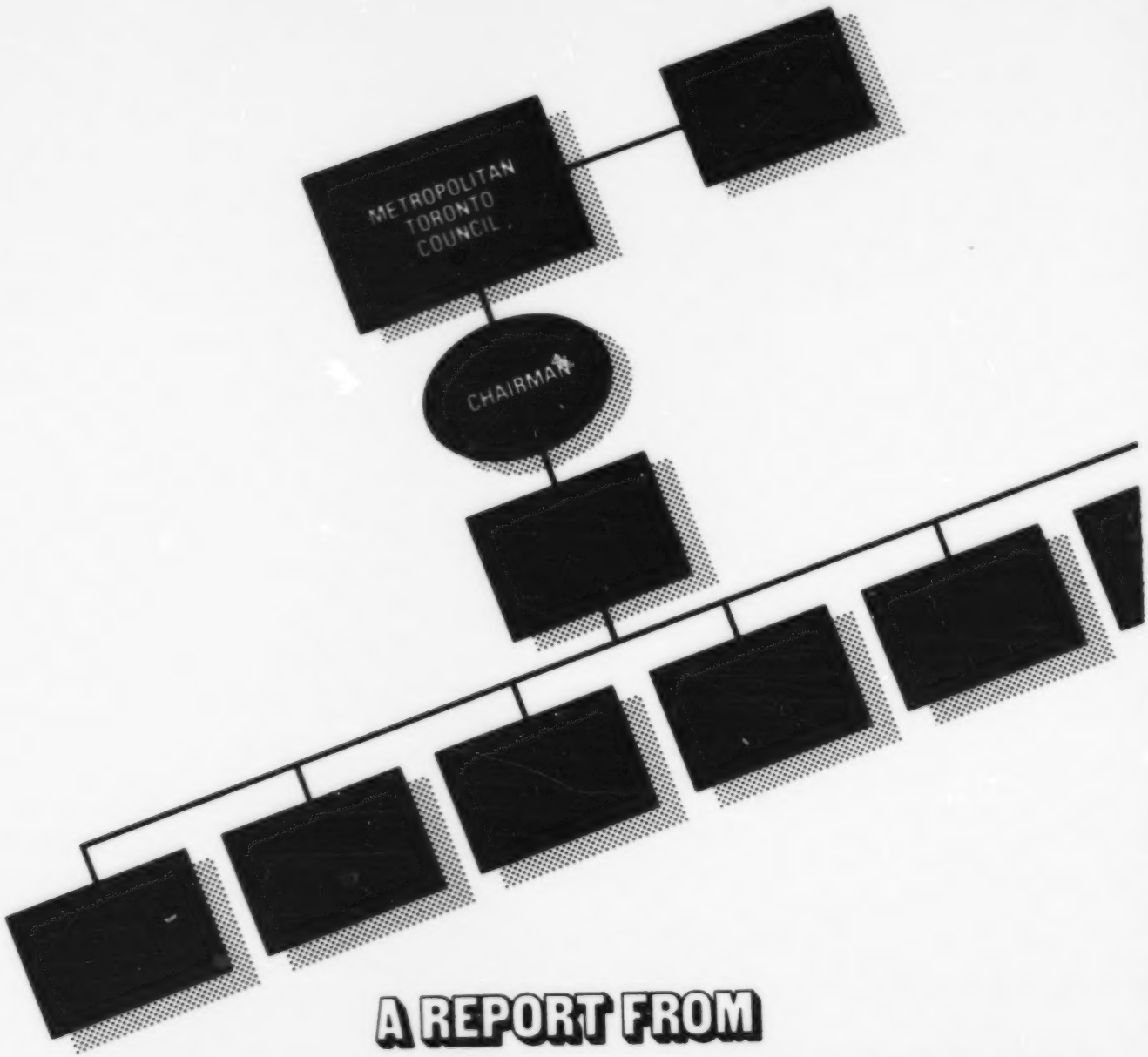

A REPORT FROM

THE COMMITTEE TO REVIEW THE STRUCTURE OF COUNCIL AND ITS COMMITTEES

MARCH, 1988

THE REPORT

OF

THE COMMITTEE TO REVIEW THE STRUCTURE

OF COUNCIL AND ITS COMMITTEES

March 28, 1988

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SUMMARY OF RECOMMENDATIONS

EXECUTIVE COMMITTEE

1. That Council establish an Administrative Committee to act in a monitoring/control capacity. (p.8)

2. That the Council Procedure By-law be amended by deleting the requirement for a two-thirds vote of Council to overturn a decision of the Metropolitan Administrative Committee relating to the following:

   (a) to appropriate or expend operating funds not provided for in the estimates, in the absence of a special estimate certified by the Administrative Committee;

   (b) to vary action of the Administrative Committee in respect of tenders where result is increased cost or award to different contractor;

   (c) to appoint staff not recommended by the Administrative Committee; and

   (d) to reinstate department heads dismissed by the Administrative Committee. (p. 9)

3. That the size of the Administrative Committee be seven Metropolitan Councillors plus the Chairman of Council. (p. 10)

4. That the Mayors not be Members of the Administrative Committee. (p. 10)

5. That Council establish a Policy and Priorities Committee comprised of the Administrative Committee and the Chairmen of the Standing Committees, and that this Committee meet on a regular basis. (p. 12)

6. That the twenty-eight Metropolitan Councillors be paid $57,500 per annum and that, with the exception of the Chairman of Council, there be no compensation for additional responsibilities. (p. 12)

7. That the Mayors of the six Area Municipalities be paid an annual salary of one-third of the salary of Metropolitan Councillors, and that the salary be paid by the Municipality of Metropolitan Toronto as compensation for their responsibilities on Metropolitan Council. (p. 13)

8. That the salary of the Chairman of Council be at the rate paid in 1988, plus any adjustments which may be made by Metropolitan Council for 1989. (p. 13)

9. The salaries of the thirty-four Members of Metropolitan Council be reviewed during the next term of Council. (p. 13)

STANDING COMMITTEES

10. That there be six Standing Committees and that the Policies and Priorities Committee be requested to review the structure of the Standing Committees during the next term of Council. (p. 14)

BOARDS AND COMMISSIONS

11. That Metropolitan Council adopt the principle that special purpose bodies of the Metropolitan Corporation be more accountable to the Metropolitan Council. (p. 17)

12. That the Mayors not be eligible to sit on Metropolitan Boards and Commissions. (p. 22)

13. The Metropolitan Council authorize the Chief Administrative Officer to undertake an analysis of special purpose bodies to include, but not be limited to, the following areas:

    (a) an increase in the membership of those bodies which take up a large portion of the Metropolitan budget, with a majority of the members being Members of Council;

    (b) the potential for reducing the number of special purpose bodies by integrating them into the Metropolitan Corporation;

    (c) a review of administrative procedures relating to tenders and proposal calls and rules of procedure for the conduct of public meetings; and

    (d) to submit a report to the newly elected Metroolitan Council in 1989. (p. 22)

SUPPORT SERVICES

14. That each Metropolitan Councillor and Mayor be allocated one assistant, and one secretary if requested, and that a review of this arrangement be undertaken during 1989. (p. 24)

1. SCOPE OF REVIEW

The statement by the Minister of Municipal Affairs to the Ontario Legislature on November 4, 1987, marked the beginning of a major reform of the Government of Metropolitan Toronto.

"... our (Ministry of Municipal Affairs) first concern is to set up a system of government that can deal effectively with the issues of the 21st century....The Metropolitan system of government has served the area well for nearly 35 years. It has been a model for other large metropolitan centres around the world. But circumstances are changing. The system must change along with them."[1]

In light of the Minister's statement, the Metropolitan Chairman submitted a report to the Metropolitan Executive Committee on November 9, 1987. This report recommended that Council establish a Committee to Review the Structure of Council and its Committees (the Structure Committee) and directed the Structure Committee to review the statement of the Minister. In addition, the report recommended that the Structure Committee make recommendations in regard to the structure of Council and its Committees including the Metropolitan Executive Committee, and to establish salaries of Members of Council who will comprise the new Council. On November 24 and 25, 1987, Council adopted the above report and the following recommendation of the Executive Committee:

"... prior to any amendments to the Municipality of Metropolitan Toronto Act dealing with the structure of the Metropolitan Toronto government being considered, the Minister of Municipal Affairs be requested to provide the Metropolitan Council with the opportunity to present to the Minister the report of the proposed Committee (the Structure Committee) to Review the Structure of Council and its Committees."[2]

The Structure Committee conducted meetings throughout December 1987 and January 1988 and essential parts of the legislation were reviewed and recommendations proposed for adoption by Metropolitan Council concerning the structure of the Metropolitan Council and its Committees for the 1988-1991 term. The Structure Committee addressed the issues of roles and responsibilities, size and composition of the Committees of Council, the compensation of Council Members, and support services required for Council Members, and the relationship of special purpose bodies to the Metropolitan Council.

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1 Hon. John Eakins, Minister of Municipal Affairs, Statement made in the Ontario Legislature on November 4, 1987.

2 Metropolitan Executive Committee, Report No. 31, November 24, 1987.

On a recommendation of the Structure Committee, the Metropolitan Council directed the Metropolitan Solicitor to appear before the Standing Committee on General Government respecting legislative amendments to Bill 29, an Act to Amend the Municipality of Metropolitan Toronto Act. These amendments concerned inclusion of provisions permitting delegation of certain Council powers to the Executive Committee.

Although Metropolitan Council requested that it be given an opportunity to respond to the Minister before the enactment of any amending legislation, the Ontario Legislature passed the legislation before the Structure Committee could complete its full report. This report and its recommendations are therefore submitted to Metropolitan Council for approval and; with Council's concurrence submitted to the Minister of Municipal Affairs for information.

The following Members of Council comprised the Structure Committee:

C. D. Flynn (Committee Chairman)	Metropolitan Chairman
J. Rowlands	Councillor, Toronto
D. Shea	Councillor, Toronto
N. Gardner	Controller, North York
L. Griffin	Controller, Etobicoke
M. Prinsloo	Controller, Scarborough
F. Brown	Controller, York
D. Johnson	Mayor, East York

2. BACKGROUND

The work of the Structure Committee represents a continuing effort in the ongoing process of ensuring that the Metropolitan Government remains a responsive and effective decision-making body. The following summary represents the major decisions pertaining to the reform of Metropolitan Council, which were recently implemented through revised legislation passed by the Government of Ontario.

1. In November 1986, the Task Force on Representation and Accountability in Metropolitan Toronto submitted its Report[3] to the Minister of Municipal Affairs. In its Report, the Task Force developed a range of options concerning topics fundamental to the structure and operations of the Metropolitan Toronto Council, namely:

   - Selection of Metropolitan Council
   - Size of Metropolitan Council
   - Electoral Ward Boundaries
   - Selection of the Metropolitan Chairman
   - Selection of the Metropolitan Executive Committee
   - Relationship of Metropolitan Council to Boards and Commissions.

   While the Task Force acted in an advisory capacity to the Minister and did not recommend any specific options for reform of the Metropolitan Council, it did provide an evaluation of the options measured against the criteria of accountability, representation and responsiveness.

2. A committee of Council, the Metropolitan Toronto Review Committee (the Review Committee) was established in January, 1987, and was directed to analyze the Task Force's Report and to recommend an appropriate combination of reform options for the Government of Metropolitan Toronto. In its report[4], the Review Committee responded to each of the issues raised in the Task Force's Report (see above). The Review Committee submitted its Report to Metropolitan Council in April, 1987.

3. On May 12 and 13, 1987, Metropolitan Council voted not to adopt the Review Committee's Report.

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3 Task Force on Representation and Accountability in Metropolitan Toronto, Analysis and Options for the Government of Metropolitan Toronto, November 1986.

4 Metropolitan Toronto Review Committee, Response of the Metropolitan Toronto Review Committee on the Options for the Government of Metropolitan Toronto, April 1987.

4. On November 4, 1987, the Minister of Municipal Affairs introduced Bill 29 - an Act to Amend the Municipality of Metropolitan Toronto Act, to bring about direct elections to the Metropolitan Council in 1988. The provincial legislation essentially reflected the recommendations of Council's Review Committee Report, namely:

   - that Metropolitan Council should be comprised of 28 directly elected Councillors and the Mayors of the area municipalities;
   - that the Metropolitan Chairman should be chosen by Metropolitan Council, from among the directly elected Councillors; and
   - that Metropolitan wards be redesigned to permit the election of one Councillor per 75,000 persons.

5. The Committee to Review the Structure of Council and its Committees (the Structure Committee) was established on November 24, 1987, and was directed to report to Metropolitan Council with recommendations concerning the structure of the Committees of Council and Members' salaries. As part of its mandate, the Structure Committee addressed the following:

   - the need for the Executive Committee and its related responsibilities;
   - the role of Standing Committees;
   - the distribution of the workload and salaries for Members of Council;
   - the support services required for all Members of Council;
   - Council's relationship to the Boards and Commissions; and
   - office space provisions for the Members of Council.

   The Structure Committee's recommendations are contained within this report.

6. On February 2 and 3, 1988, Metropolitan Council instructed the Metropolitan Solicitor to attend and present before the Standing Committee on General Government, Metropolitan Council's request to amend Bill 29 to include in the Municipality of Metropolitan Toronto Act, provisions permitting delegation of certain Council powers to the Executive Committee.

7. During February 2 through to February 4, 1988, the Standing Committee on General Government convened over Bill 29 and received public input from interested parties.

8. On February 8, 1988, Bill 29 which was not amended received approval from the Ontario Legislature.

9. While the Structure Committee did its utmost to review all the topics relating to the new Metropolitan Council, there was not sufficient time to comprehensively discuss and review the detail of all the related issues. As a consequence, the Structure Committee has directed that the appropriate Metropolitan staff report on the following:

   - amendments required to the Municipality of Metropolitan Toronto Act;
   - amendments required to the Council Procedural By-law;
   - a review of special purpose bodies;
   - the role of an Intergovernmental Affairs Committee and the feasibility of it assuming the negotiating function;
   - the procedure for transferring existing support staff and recruiting new staff for Metropolitan Councillors; and
   - the details of accommodation and ancillary support services for Members of Council.

10. Notwithstanding number 9 above, the Structure Committee has completed its preliminary review and is forwarding the following recommendations for consideration by Metropolitan Council.

3. EXECUTIVE COMMITTEE

3.1 Need for an Executive Committee

Under Bill 29, (see Appendix 1) all area municipal Boards of Control are abolished. However, amendments to the Municipality of Metropolitan Toronto Act, Section 13(1) under Bill 29, state that the Metropolitan Council may establish Standing or other Committees, including an Executive Committee and assign to them such duties as it considers expedient. Bill 29 further provides that, if the Metropolitan Council establishes an Executive Committee, the Metropolitan Council may by by-law:

(a) authorize the Executive Committee to exercise the powers set out in Section 12 and subsection 97(3) and;
(b) delegate authority to the Executive Committee under Section 200.

The Structure Committee concluded that the Executive Committee was a necessary and integral component of the Committee structure. Because the Executive Committee reviews the majority of Standing Committee reports and reviews issues which involve matters of corporate finance, personnel and property, it is able to provide three important functions for the Metropolitan Government, namely an Executive Committee which provides:

- the necessary checks and balances in the Standing Committee structure;
- a corporate perspective for the development of policy; and
- a control function over corporate resources.

3.2 Roles and Responsibilities of the Executive Committee

The Structure Committee considered two basic models for the role that the Executive Committee could fulfill. Under the **monitoring/control model**, the Executive Committee would provide the checks and balances, and would maintain distinct responsibilities from the Standing Committees. Under the **policy direction/control model**, the Executive Committee's powers would supersede those of the Standing Committees in all matters.

Monitoring/Control Model: The Monitoring/Control model essentially replicates the present role of the Executive Committee whereby the Executive Committee:

- maintains specific responsibilities in the areas of:

  Finance - the preparation of the annual estimates and their certification to Council;

Personnel - the nomination to Council of, compensation and dismissal of senior staff; and

Property - the preparation of specifications for and awarding of all contracts; and the calling of tenders.

- may amend Standing Committee reports relating to personnel, financial, legal or other matters specifically within the Executive Committee's legislative authority;

- monitors the corporate implications of committee recommendations;

- is conferred residual powers in all matters not pertaining to any of the duties of a Standing Committee or any special Committee and shall consider all matters referred to it by Council;

- does not provide direction in program areas on behalf of Metropolitan Council; and

- basically operates as the controller in the allocation of resources for the Metropolitan Corporation.

The Monitoring/Control model provides for a system of checks and balances between the policy development function of the Standing Committee and the resource controlling function of the Executive Committee.

Policy Direction/Control Model: The Policy Direction/Control model provides for a more powerful Executive Committee. In addition to assuming the responsibilities of the Monitoring/Control model (i.e. finance, personnel and property) this model prescribes that the Executive Committee shall:

- initiate policy development and program direction in all program areas; and

- have the authority to amend all Standing Committee reports.

In contrast to the checks and balances approach underlying the Monitoring/Control model the Policy Direction/Control model facilitates an Executive Committee with pervasive powers which supersede those of the Standing Committees. This results in an overlap of responsibilities between the Executive and Standing Committees.

The Structure Committee reasoned that the present role of the Executive Committee as recently clarified in the Report of the

Task Force on Functional Relationships[5] should continue, whereby the Executive Committee would control the corporate resources required to give effect to the policies and programs developed within the Standing Committees. In addition, the Structure Committee sought to keep distinct the responsibilities between the Executive and Standing Committees. It was therefore concluded that the Monitoring/Control model was the preferred model for a Metropolitan Executive Committee. While the Structure Committee reached consensus on the role of this Committee, it did not like the "Executive Committee" nomenclature and recommended that it be named the Administrative Committee.

It is therefore recommended:

1. **that Council establish an Administrative Committee to act in a monitoring/control capacity.**

When considering the unique role and responsibilities to be discharged by the Administrative Committee, the Structure Committee also reasoned that in order to best co-ordinate the monitoring and control of both financial and human resources, the existing Budget and Management Sub-Committees would be discontinued and their functions absorbed entirely by the Administrative Committee.

Upon Metropolitan Council's adoption of the above recommendation, the powers and duties of the Administrative Committee as described in this section would be incorporated into the Council by-law establishing such a Committee. Because the Administrative Committee would be established by by-law, Metropolitan Council could review the function of the Administrative Committee any time it deems necessary and make whatever modifications it deems appropriate.

By abolishing Boards of Control, the new legislation seemed to reflect the view that the power of Council was being eroded. On reflection of this, the Structure Committee concluded that the two-thirds vote of Council that is required to overturn Administrative Committee decisions should be repealed. Instead, a simple majority should be required. This recommendation more properly reflects the checks and balances implied by the monitoring/control function so that Council's will can be more easily implemented. This decision supports the Committee's desire for a monitoring/control type of Administrative Committee rather than a more powerful policy direction/control model.

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5 Task Force on Functional Relationships of the Council, Committees, Boards and Commissions, Report, June 1985.

It is therefore recommended:

2. that the Council Procedure By-law be amended by deleting the requirement for a two-thirds vote of Council to overturn a decision of the Metropolitan Administrative Committee relating to the following:

(a) to appropriate or expend operating funds not provided for in the estimates, in the absence of a special estimate certified by the Administrative Committee;

(b) to vary action of the Administrative Committee in respect of tenders where result is increased cost or award to different contractor;

(c) to appoint staff not recommended by the Administrative Committee; and

(d) to reinstate department heads dismissed by the Administrative Committee.

3.3 Size of the Administrative Committee

In considering the size of the Administrative Committee, the Structure Committee sought to parallel the structure of the existing Standing Committees and to ensure a balanced workload for all Members of Council. Given that both the existing Budget and Management Sub-Committees would be discontinued and their functions absorbed entirely by the Administrative Committee, the Structure Committee decided that an even workload would be best achieved by an Administrative Committee comprised of seven Councillors plus the Metropolitan Chairman.

Although geographic representation is not necessarily guaranteed under the eight member Administrative Committee, the Committee noted that the overall concern in considering the composition of the Administrative Committee is its ability to provide leadership. This role should not be limited by a perceived need to provide geographic representation. In any event, the balancing effect of geographic representation would still be provided by the composition of Metropolitan Council.

In addition to Administrative Committee duties, each Member of Council would sit on one Standing Committee. The presence of at least one Administrative Committee Member on each Standing Committee ensures the necessary communication linkage and provides the Administrative Committee with the ability to monitor the activities of the Standing Committees. An Administrative Committee Member would not be the Chairman of a Standing Committee and would not review the budgets of the departments reporting to that Standing Committee. All other Metropolitan Councillors would sit on two Standing Committees. In this way, a balanced workload would be achieved in that all

directly elected Members of Council would serve on either the Administrative Committee and one Standing Committee or two Standing Committees.

It is therefore recommended:

3. **that the size of the Administrative Committee be seven Metropolitan Councillors plus the Chairman of Council.**

3.4 Composition of the Administrative Committee

The Structure Committee reasoned that, given the responsibilities of the Administrative Committee especially regarding its control over financial resources, the Members of Council comprising the Administrative Committee should be directly accountable to the Metropolitan electorate. The Structure Committee concluded that this intent would be best served by the directly elected Councillors. Only the directly elected Councillors will be able to devote their energies full time to Administrative Committee matters. The Structure Committee decided that the Mayors of the area municipalities should not serve on the Administrative Committee because of the particularly onerous workloads on their local councils. It was reasoned that the Mayors will not have sufficient time to devote to the work of the newly structured Administrative Committee. The Structure Committee viewed the role of the Mayors as an essential conduit of information between the Metropolitan Toronto Council and their respective local councils.

It is therefore recommended:

4. **that the Mayors not be Members of the Administrative Committee.**

The Metropolitan Chairman would preside as Administrative Committee Chairman as he does presently on the Executive Committee. The directly elected Councillors comprising the Administrative Committee would be selected by Council.

3.5 Policy and Priorities Committee of Council

During its discussions the Structure Committee identified the need for a corporate policy co-ordinating body to serve Council. Given the Committee structure proposed, i.e. Standing Committees developing policies in their respective program areas and an Administrative Committee functioning in a monitoring and control capacity, the Structure Committee identified the need to weigh varying policy initiatives against overall corporate priorities. To fulfill this corporate policy direction function, the Structure Committee proposed the establishment of the Policy and Priorities Committee.

Roles and Responsibilities

The Policy and Priorities Committee would serve Metropolitan Council in an advisory capacity on matters of:

- setting an agenda and identifying the priorities for the term of Council and reflecting such priorities in long term financial planning (i.e. the ten year financial plan);
- reviewing the Official Plan of the Metropolitan Corporation;
- providing direction that the Metropolitan Council should take on corporate policy issues; and
- reviewing and co-ordinating the policy positions of the various Standing Committees, ensuring that there is consistency throughout the positions recommended to Council.

The Policy and Priorities Committee would meet on a regular and ongoing basis and report to Council periodically. It would monitor and report on the Corporation's long term plan which is fashioned to guide the Corporation in the development of its policies. In order to initiate the implementation of its own strategies and initiatives, the Policy and Priorities Committee would report back and work through the Standing and Administrative Committee structure. The Structure Committee's view was that the Policy and Priorities Committee would function best if its focus as an advisory body does not transgress the functions defined for the Administrative and Standing Committees or else the distinct roles of those Committees may unnecessarily become infringed.

Composition

The Policy and Priorities Committee would comprise the Metropolitan Chairman, the Administrative Committee and the Standing Committee Chairmen. The establishment of Corporate priorities would best be accomplished by combining those members primarily responsible for establishing program policies and those members responsible for the allocation of corporate resources. The Committee would benefit from the leadership and experience furnished by its Members through their information networks stemming from both policy development and resource control functions. Interested Members of Council would be invited to participate in the Committee's deliberations.

It is therefore recommended:

5. **that Council establish a Policy and Priorities Committee comprised of the Administrative Committee and the Chairmen of the Standing Committees, and that this Committee meet on a regular basis.**

3.6 Compensation of Members of Council

During its review the Structure Committee concluded that an evenly distributed workload for all Members of Council should be recommended which would permit a simplification of the compensation system for Councillors. Apart from the Metropolitan Chairman and the six Mayors, all Members of Council should receive equal remuneration and benefits and no additional compensation should be available for the specific responsibilities assumed within this framework by individual Councillors.

As part of its analysis, the Committee reviewed the salary levels of members of the Federal Legislature, Ontario Provincial Legislature, and Regional Councils in Ontario. The Structure Committee established that the amount of $57,500 should be paid to Metropolitan Councillors of which one-third will continue to be non-taxable. It was noted that this amount would provide sufficient incentive and attract the quality of people who would devote themselves on a full time basis to Metropolitan issues. The proposed level of remuneration also ensures that no current Member of Council be required to accept a lower level of compensation as a result of a decision to seek a seat on the new Metropolitan Council. In addition, this level of remuneration approximates the amount received by Members of the Ontario Legislature who represent a similar amount of population per riding as will the directly elected Metropolitan Councillors[6].

It is therefore recommended:

6. **that the twenty-eight Metropolitan Councillors be paid $57,500 per annum and that, with the exception of the Chairman of Council, there be no compensation for additional responsibilities.**

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6 Although the MPP's base salary of $39,229 plus $13,711 in tax free allowance (totalling $52,940) is some $4,560 less than the recommended $57,500 for directly elected Metropolitan Councillors, MPP's receive other entitlements. These include additional indemnities for Cabinet Ministers, Parliamentary Assistants, Standing Committee Chairmen, per diem amounts for Standing Committee Members, etc., which may result in considerably more compensation.

The remuneration of the Mayors for their responsibilities on Metropolitan Council was set by the Structure Committee to be one-third ($19,148) that of the Metropolitan Councillors. This amount approximates the remuneration that the Mayors currently receive as Members of the Metropolitan Council. The Mayors still have one vote in Council and may sit on any number of Standing Committees that they desire. Notwithstanding, it is the Structure Committee's view that the Mayors must continue to devote significant time to the duties and responsibilities of their municipalities. As a consequence, it was concluded that the greater portion of the Mayors' remuneration should be borne by their respective local jurisdictions.

It is therefore recommended:

7. **that the Mayors of the six Area Municipalities be paid an annual salary of one-third of the salary of Metropolitan Councillors, and that the salary be paid by the Municipality of Metropolitan Toronto as compensation for their responsibilities on Metropolitan Council.**

The Committee discussed the annual salary of the Metropolitan Chairman and recommended that it remain at its present level. It may be necessary to perform a job evaluation of the Chairman's position to establish a rationalized level of remuneration for this position in the Corporation.

It is therefore recommended:

8. **that the salary of the Chairman of Council be at the rate paid in 1988, plus any adjustments which may be made by Metropolitan Council for 1989.**

To ensure that salaries fairly reflect the responsibilities of the Members of Council, the Structure Committee stated that a review of Members' salaries be conducted during the term of the next Council.

It is therefore recommended that:

9. **the salaries of the thirty-four Members of Metropolitan Council be reviewed during the next term of Council.**

4. STANDING COMMITTEES

The Structure Committee examined the role of the existing Standing Committees in the council committee system and considered models which increased or decreased the number of Standing Committees.

4.1 Existing Standing Committees

Role and Responsibilities

Bill 29 preserves the power of Metropolitan Council to establish Standing Committees and to assign them such duties as it considers expedient. The Structure Committee views the role of the Standing Committees in the new Metropolitan Council much like the one that it currently serves. The Standing Committees shall continue to formulate policies concerning their respective program areas and advocate the resource requirements of the respective departments.

In examining the possibility of decreasing or increasing the existing number of Standing Committees, the Structure Committee reviewed two evolving trends; i.e. the occurrence of joint Standing Committee meetings and the creation of sub-committees within existing Standing Committees. It was concluded that these trends should be monitored, but that there should be no change to the existing number of Standing Committees at this time. The Committee believed that the full time Metropolitan Councillors would be able to cope with the heavy time requirements of the Standing Committees.

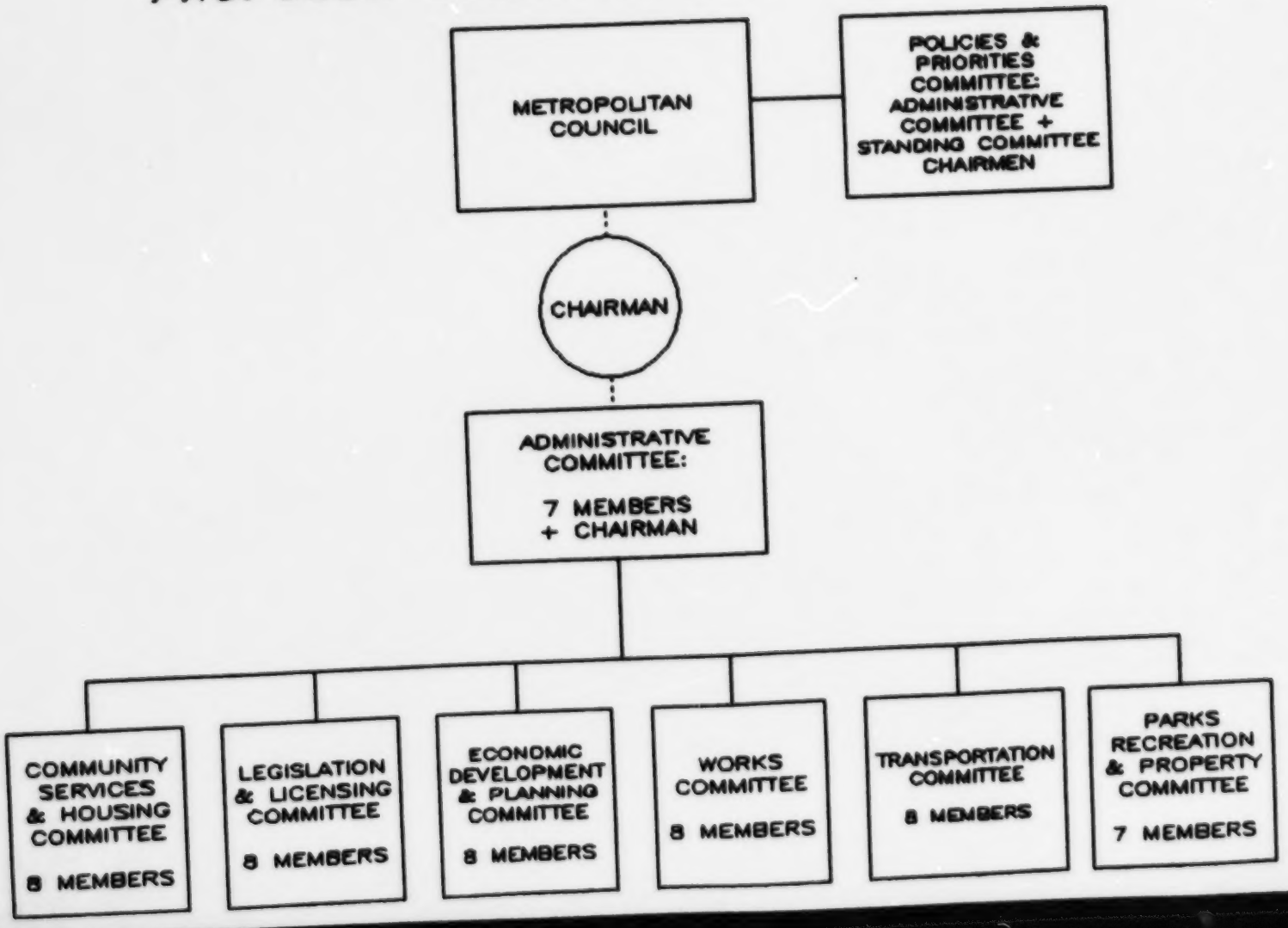
It is therefore recommended:

10. that there be six Standing Committees and that the Policies and Priorities Committee be requested to review the structure of the Standing Committees during the next term of Council.

Composition

Five of the six Standing Committees would comprise eight Metropolitan Councillors, while the remaining Standing Committee would comprise seven Metropolitan Councillors. The Standing Committees would, therefore, comprise forty-seven positions (see Exhibit 1). Each Standing Committee would have among its Members at least one Administrative Committee Member (7 of the 47 positions would be filled by Administrative Committee Members). The remaining 40 positions would be filled by the directly elected Metropolitan Councillors who do not sit on the Administrative Committee. This composition would ensure the most equitable distribution of workload in that all directly elected Members of Metropolitan Council, excluding the Metropolitan Chairman, would sit on either the Administrative Committee and one Standing Committee or two

EXHIBIT 1
PROPOSED COMMITTEES OF COUNCIL



Standing Committees. The Standing Committees would each elect a Chairman from among their members (Administrative Committee Members are ineligible to serve as Standing Committee Chairmen). The Mayors shall sit on any Standing Committee that they desire. The Metropolitan Chairman is an ex-officio Member of all Standing Committees. The composition of Standing Committees shall also be reviewed as part of the request to review the structure of Standing Committees during the next term of Council as identified in the previous recommendation.

5. BOARDS AND COMMISSIONS

The Structure Committee reviewed and reinforced the previous work of the Metropolitan Review Committee concerning the appropriate degree of Metropolitan Council's control over the Boards and Commissions (special purpose bodies). It was identified that in many instances, the existing relationship between the special purpose bodies and Council is unbalanced. Specifically, the amount of Council representation on the special purpose bodies does not always reflect Metropolitan Council's financial contribution.

5.1 Degree of Council Control

In its Report, the Metropolitan Toronto Review Committee identified the need to rationalize the degree of Council control over both the programs and budgets of the various special purpose bodies. The Structure Committee cited that the large number of existing special purpose bodies contributes towards the fragmentation of priority setting and policy-making throughout Metropolitan Toronto. This fragmentation results in the weakening of both accountability and responsiveness between Council and the electorate. Although Council is often perceived by the public to be responsible for service delivery, it does not have the authority in many cases to exert complete control over the special purpose body providing the service. Consequently, decision-making becomes diffuse and responsibility for service delivery unclear.

Special purpose bodies appropriate large sums of the Metropolitan Corporation's finances. Exhibit 2 indicates that in 1987 approximately 58 percent of the Corporation's net expenditures were for special purpose bodies, with the Police and Toronto Transit Commissions accounting for the large majority of this amount. The Corporation's contribution towards special purpose bodies as a percentage of their total revenue represents a considerable amount - approximately 46 percent in 1987 (see Exhibit 3).

In light of the importance of the functions administered by special purpose bodies and the magnitude of financial commitment by the Metropolitan Corporation to these organizations, the Structure Committee adopted the recommendation of the Metropolitan Toronto Review Committee respecting greater Council control over special purpose bodies.

It is therefore recommended:

11. that Metropolitan Council adopt the principle that special purpose bodies of the Metropolitan Corporation be more accountable to the Metropolitan Council.

EXHIBIT 2

1987 Gross and Net Expenditures* Including Capital Financing

for Metro Departments, Boards and Commissions ($000's)

Departments	1987 Metro Gross Expenditures	% of Metro Gross Expenditures	1987 Metro Net Expenditures	% Metro Net Expenditures
General Government	37,263.5	2.2	29,626.0	3.3
Roads and Traffic	75,887.7	4.5	57,387.8	6.4
Works	152,794.2	9.0	30,467.9	3.4
Ambulance	46,910.2	2.8	20,960.2	2.3
Community Services	559,653.3	32.9	101,589.3	11.2
Parks and Property	45,280.9	2.7	21,565.5	2.4
Planning and Development	4,131.6	0.2	3,807.4	0.4
Sundry	118,004.2	6.9	118,004.2	13.1
Sub-Total	1,039,925.6	61.2	383,408.3	42.5
Boards and Commissions				
Licensing Commission	5,360.6	0.3	691.5	0.1
Police Commission	385,042.3	22.8	335,504.0	37.2
Conservation Authority	11,833.1	0.7	11,883.1	1.3
Toronto Transit Commission	196,588.6	11.6	111,510.9	12.4
Children and Family Aid Societies	15,016.6	0.9	15,016.6	1.7
Metro Zoo Board	12,383.5	0.7	12,383.5	1.4
Metro Library Board	20,667.3	1.2	20,667.3	2.3
Exhibition Place Board of Governors	4,332.6	0.2	3,641.6	0.4
O'Keefe Centre	954.1	-	358.8	-
Guild Inn	374.1	-	374.1	-
Convention and Visitors' Association	6,443.6	0.4	6,443.6	0.7
Sub-Total	658,996.4	38.8	518,452.0	57.5
Total	**1,698,922.0**	**100.0**	**901,860.3**	**100.0**

*1987 Estimates

EXHIBIT 3

Metro Toronto's Contribution to Boards and Commissions in 1987($000's)

Boards/Commissions	1987 Estimated Total Gross Expenditures[2]	Other Revenues[3]	Other Revenues as a % of Total Expenditures	1987 Estimated Total Net Expenditures (Metro's Share)[2]	Metro's Share as a % of Total Expenditures
Licensing Commission	5,360.6	4,669.1	87.1	691.5	12.9
Police Commission	385,042.3	49,538.3	12.9	335,504.0	88.1
Conservation Authority	23,988.8	12,155.7	50.7	11,833.1	49.3
Toronto Transit Commission	550,942.6	439,431.7	79.8	111,510.9	20.2
Children and Family Aid Societies	75,383.6	60,363.8	80.0	15,016.1[4]	20.0
Metro Zoo Board	17,987.0	5,603.5	31.2	12,383.5	68.8
Metro Library Board	23,072.1	2,404.8	10.4	20,667.3	89.6
Exhibition Place Board of Governors	37,843.5	34,201.9	90.4	3,641.6	9.6
O'Keefe Centre	4,726.6	4,340.7	91.8	385.8	8.2
Guild Inn	970.7	596.6	61.5	374.1	38.5
Convention and Visitors' Association	9,940.2	3,496.6	35.2	6,443.6	64.8
Total	1,135,258.0	616,802.7	54.3	518,452.0	45.7

NOTE:

1. 1987 Estimates.
2. Gross and net expenditures are consolidated and include capital financing.
3. Other revenues include operating revenues, provincial grants and sundry revenues.
4. Children and Family Aid Societies' revenues as reported here, do not totally offset gross expenditures due to adjustments.

5.2 Review of Special Purpose Bodies

The Structure Committee further directed the Chief Administrative Officer to report with regards to the recommendations of the Metropolitan Toronto Review Committee concerning the membership, number and administrative procedures used by special purpose bodies.

Membership of Special Purpose Bodies

In order to bring those special purpose bodies which receive a large share of their funding from Metropolitan Council under closer fiscal scrutiny of Council, the Structure Committee believed that the membership of the Board of Directors of these bodies should be examined closely with a view to effecting greater Council representation.

In many cases, Council appoints both Members of Council and citizens to the Board of Directors of the Boards and Commissions. Examination of the composition of the Boards and Commissions listed in Exhibits 2 and 3 where Council is a major stakeholder, reveals that Council is responsible for appointing 36 percent of their members (see Exhibit 4). However, 53 percent of those appointments made by Council are in fact Council Members, while the remaining 47 percent are citizen appointments.[7] The noted composition provides for some redistribution of the workload of current Metro Councillors to non-elected appointees. However, under a direct election system, Metropolitan Councillors would be involved on a full time basis with Metropolitan issues. This would allow for more Councillors to sit on the Boards and Commissions and thereby strengthen the representation of Metro Council.

The Structure Committee believed that the Mayors should not sit on the Boards and Commissions. By virtue of their election to local office, it was the Structure Committee's view that the Mayors must continue to devote significant time to the office of Mayor and that the directly elected members would best serve the will of Metropolitan Council in bringing special purpose bodies under greater control of Metropolitan Council.

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7 In addition, Council makes another 77 appointments to 18 other Boards and Commissions which receive either a grant or some other financial contribution from Council. Council Members comprise 60 percent or 46 of the 77 appointments. The program impact of these Boards and Commissions is much smaller than those discussed above.

EXHIBIT 4
Metropolitan Toronto Council
Appointments to the Boards and Commissions

Board/Commission	Total Membership	Appointments Made by Council	% of Total Membership	Council Member Appointees	% of Council Appointments	Non-Council Member Appointees	% of Council Appointments
Licensing Commission	3	3	100	1	33	2	66
Police Commission	7	3	40	3	100	-	-
Conservation Authority	31	14	45	7	50	7	50
Toronto Transit Commission	5	2	40	2	100	-	-
Catholic Children's Aid Society of Metropolitan Toronto	27	4	15	4	100	-	-
Children's Aid Society Metropolitan Toronto	28	4	14	4	100	-	-
Metropolitan Toronto Zoo Board	9	9	100	4	44	5*	56
Metropolitan Toronto Library Board	11	3	27	1	33	2	66
O'Keefe Centre	7	7	100	5	71	2**	29
Exhibition Place Board of Governors	14	11	79	3	27	8	63
Guild Inn	14	7	50	-	-	7	100
Metropolitan Toronto Convention and Visitors' Association							
Total	39 195	4 71	10 36	4 38	100 53	- 33	- 47

* 4 of the 5 non-Council Member appointments shall be nominees of the Metropolitan Toronto Zoological Society.
** Both citizen appointments will be replaced by Members of Council in 1988.

It is therefore recommended:

12. that the Mayors not be eligible to sit on Metropolitan Boards and Commissions.

Number of Special Purpose Bodies

At the present time there are twelve Boards and Commissions whose budgets are reviewed by Metropolitan Council. The Metropolitan Toronto Review Committee expressed the view that not all these special purpose bodies need necessarily remain as such, as there is the potential to more closely integrate them into the Metropolitan Corporation as departments, thereby reducing their number.

Administrative Procedures

The Metropolitan Toronto Review Committee expressed the view that the administrative procedures used by special purpose bodies regarding tendering and proposal calls, as well as rules of procedures for the conduct of public meetings, should be reviewed and made more clear. The procedures of the Boards and Commissions would become more like those utilized by Metropolitan departments.

Neither the previous Review Committee nor the Structure Committee had adequate time to sufficiently review and fully debate these issues. Notwithstanding, the Structure Committee's view was that a detailed review of each special purpose body should be undertaken within the context of these issues and should follow the submission of the Metropolitan Council's response to the Minister.

It is therefore recommended that:

13. the Metropolitan Council authorize the Chief Administrative Officer to undertake an analysis of special purpose bodies to include, but not be limited to, the following areas:

    (a) an increase in the membership of those bodies which take up a large portion of the Metropolitan budget, with a majority of the members being Members of Council;

    (b) the potential for reducing the number of special purpose bodies by integrating them into the Metropolitan Corporation;

    (c) a review of administrative procedures relating to tenders and proposal calls and rules of procedure for the conduct of public meetings; and

(d) to submit a report to the newly elected Metropolitan Council in 1989.

6. SUPPORT SERVICES

In its consideration of support services for Members of Council, the Structure Committee addressed the administrative services and physical space requirements considered necessary in the support of the daily operations of Council. The latter has already been addressed by Metropolitan Council. It was understood that its recommended provisions for support staff and space planning would only affect the next term of Council and that upon completion of the new Metro Hall (approximately mid-1992), such provisions would be reassessed.

6.1 Administrative Support

In its deliberation over the issue of staff support requirements for Members of Council, the Structure Committee examined the staff support utilized by the City of Toronto. Each Member of the City of Toronto Council has one administrative assistant and one secretary. It was concluded that one assistant, and one secretary if requested, should be provided for each Member of Council. Each Member would be responsible for the staffing of these positions.

It is therefore recommended:

14. that each Metropolitan Councillor and Mayor be allocated one assistant, and one secretary if requested, and that a review of this arrangement be undertaken during 1989.

APPENDIX 1

BILL 29

AN ACT TO AMEND THE MUNICIPALITY OF METROPOLITAN TORONTO ACT

Bill 29 **Government Bill**

1st SESSION, 34th LEGISLATURE, ONTARIO 36 ELIZABETH II, 1987

Bill 29

An Act to amend the Municipality of Metropolitan Toronto Act

The Hon. J. Eakins
Minister of Municipal Affairs

1st Reading November 23rd, 1987
2nd Reading
3rd Reading
Royal Assent

Printed under authority of the Legislative Assembly by the
Queen's Printer for Ontario

EXPLANATORY NOTES

The purpose of the Bill is to provide for the restructuring of the Metropolitan Toronto Council to be composed of thirty-four members, twenty-eight of whom are to be directly elected and the remaining six to be the mayors of the area municipalities.

The principal provisions of the Bill are as follows:

The composition of the Metropolitan Council is restructured, allocating to each area municipality a specific number of councillors based on the principle of representation by population. (Subsection 2 (1))

Each area municipality is to be divided into metropolitan wards equal to the number of metropolitan councillors each municipality is entitled to with the exception of the Borough of East York which is deemed to be one metropolitan ward. (Subsections 2 (3) and (4))

Provision is made for the election of the metropolitan chairman from among the twenty-eight directly elected metropolitan councillors by all the councillors.

Although the mayors will have a vote for the chairman they will not be eligible for election as chairman. The chairman will be a full voting member. (Subsection 2 (5))

One metropolitan councillor is to be elected by electors of each metropolitan ward at the regular municipal elections and the term of office is to be three years. No member, except a mayor, may be a member of the Metropolitan Council and the council of an area municipality at the same time. (Subsections 2 (6) and (7))

The initial boundaries for the metropolitan and local wards, following input by each area municipality, shall be determined by order of the Lieutenant Governor in Council in accordance with the statutory guidelines. The order is to apply to the 1988 municipal elections.

Following the 1988 regular elections provision is made for the determination of metropolitan ward boundaries by the Municipal Board which may divide, redivide or alter any of them in accordance with the statutory guidelines and those established by the Minister. The Board may also change the boundaries of the local wards in the applicant municipality to ensure that they are within the metropolitan wards in accordance with proposed statutory guidelines. The Board's order is to take effect at the next regular elections subsequent to 1988. (Section 3)

Each member of the Metropolitan Council has only one vote including the chairman who no longer has a tie breaking vote. (Section 5)

The Metropolitan Council Executive Committee is abolished. The Council may establish an Executive Committee with such duties assigned to it as it considers expedient. (Section 9)

Area municipality boards of control are abolished. (Section 10)

Authority is granted to the Municipal Board, after December 1, 1988, on the application of an area municipality or on petition of its electors, to alter local wards of area municipality and council composition, subject to the requirement that local wards structure be congruent with that of the metropolitan wards. (Section 12)

Bill 29 **1987**

An Act to amend the Municipality of Metropolitan Toronto Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Section 1 of the *Municipality of Metropolitan Toronto Act*, being chapter 314 of the Revised Statutes of Ontario, 1980, as amended by the Statutes of Ontario, 1984, chapter 18, section 1, is further amended by adding thereto the following clauses:

(ga) "local ward" means a ward established for the purpose of electing a councillor or councillors to the council of an area municipality;

. . . . . .

(ja) "metropolitan councillor" means a person described in clauses 5 (1) (b) to (g);

. . . . . .

(ka) "metropolitan ward" means a ward established for the purpose of electing a metropolitan councillor to the Metropolitan Council.

(2) Clauses 1 (l) and (m) of the said Act are repealed and the following substituted therefor:

(l) "Minister" means the Minister of Municipal Affairs;

(m) "Ministry" means the Ministry of Municipal Affairs.

2.—(1) Subsection 5 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1984, chapter 18, section 2, is repealed and the following substituted therefor:

(1) The Metropolitan Council shall be composed of,

Composition of Metropolitan Council

(a) the head of council of each area municipality;

(b) one person elected by the electors of the area municipality of the Borough of East York;

(c) four persons elected by the electors of the area municipality of the City of Etobicoke;

(d) seven persons elected by the electors of the area municipality of the City of North York;

(e) six persons elected by the electors of the area municipality of the City of Scarborough;

(f) eight persons elected by the electors of the area municipality of the City of Toronto; and

(g) two persons elected by the electors of the area municipality of the City of York.

(2) Subsection 5 (2) of the said Act, as amended by the Statutes of Ontario, 1987, chapter 10, section 39, is repealed.

(3) Subsection 5 (3) of the said Act, as re-enacted by the Statutes of Ontario, 1985, chapter 2, section 1, is repealed and the following substituted therefor:

Division into metropolitan wards

(3) Subject to subsection (4), and in accordance with section 5a, each area municipality shall be divided into a number of metropolitan wards equal to the number of metropolitan councillors provided for in subsection (1).

(4) Subsection 5 (4) of the said Act, as amended by the Statutes of Ontario, 1987, chapter 10, section 39, is repealed and the following substituted therefor:

Deeming provision

(4) The Borough of East York shall be deemed to be one metropolitan ward.

(5) Subsections 5 (5), (6), (7) and (8) of the said Act are repealed and the following substituted therefor:

Election by ward

(5) One metropolitan councillor shall be elected by the electors of each metropolitan ward.

Time of election, term of office

(6) The election of the metropolitan councillors as provided for in subsections (1) and (5) shall be held at the regular elections, and the metropolitan councillors so elected shall hold office for a three year term and until their successors are elected and the new Metropolitan Council is organized.

(7) A person is eligible to be elected a metropolitan councillor for an area municipality if he or she is eligible to be elected a member of the council of that area municipality under the *Municipal Elections Act*, or to be appointed to fill a vacancy in the office of a member so elected, but no person, except a head of the council of an area municipality, may be a member of the Metropolitan Council and the council of an area municipality at the same time. Eligibility for office of metropolitan councillor R.S.O. 1980, c. 308

3. The said Act is amended by adding thereto the following sections:

5a.—(1) Each area municipality shall, within sixty days of the date upon which this section comes into force, submit to the Minister a proposal with respect to the boundaries of the metropolitan wards, the number of local wards and their boundaries and the number of councillors to be elected from each local ward in that area municipality. Proposal to be submitted to Minister

(2) The proposal of each area municipality shall be consistent with the criteria set out in subsections (4), (5) and (6). Nature of proposal

(3) After the expiration of the time for the submission of proposals by the area municipalities, the Minister shall submit to the Lieutenant Governor in Council a recommendation with respect to, Minister to submit proposal to Lieutenant Governor in Council

(a) the boundaries to be established for metropolitan wards;

(b) the number of local wards;

(c) the boundaries to be established for local wards; and

(d) the number of councillors to be elected from each local ward,

in each area municipality.

(4) The recommendation under subsection (3) shall provide for the establishment of, Criteria for recommendation

(a) the number of metropolitan wards in each area municipality that is equal to the number of persons to be elected to the Metropolitan Council from that area municipality under subsection 5 (1); and

(b) such number of local wards in each area municipality as the Minister may recommend provided there

are not less than two local wards in any area municipality.

Boundaries of local wards

(5) Where the Minister recommends the establishment of a number of local wards in an area municipality that is equal to the number of metropolitan wards in that area municipality, the boundaries of the local wards shall be identical to the boundaries of the metropolitan wards in that area municipality.

Idem

(6) Where the Minister recommends the establishment of a number of local wards in an area municipality that is a multiple in whole numbers of the number of metropolitan wards in that area municipality, each local ward shall be located entirely within one metropolitan ward.

Number of councillors from each local ward

(7) Subject to clause 152 (1) (b), the Minister shall recommend to the Lieutenant Governor in Council the number of councillors to be elected from the local wards in each area municipality.

Order

(8) Upon receipt of the recommendation of the Minister, the Lieutenant Governor in Council shall, by order, subject to subsections (4), (5), (6) and (7), establish in each area municipality,

(a) the boundaries of the metropolitan wards;

(b) the number of local wards;

(c) the boundaries of the local wards; and

(d) the number of councillors to be elected from each local ward.

Criteria for different recommendation

(9) Notwithstanding clause (4) (a), subsections (8), 5 (3) and 5 (5), the Minister may recommend, and the Lieutenant Governor in Council may establish, a number of metropolitan wards in an area municipality that is less than the number of persons to be elected to the Metropolitan Council from that area municipality under subsection 5 (1) if an equal number of persons are to be elected from each metropolitan ward in that area municipality.

Alteration of metropolitan wards by O.M.B.

R.S.O. 1980, c. 302

5b.—(1) Notwithstanding the *Municipal Act*, upon the application of an area municipality authorized by a by-law of the council thereof, or upon the petition of electors of that area municipality under section 13 of the *Municipal Act*, the Municipal Board may, after the 1st day of December, 1988,

by order, divide, redivide or alter any or all of the metropolitan wards within that area municipality.

Contents of order

(2) In making an order under subsection (1), the Municipal Board shall,

(a) establish in the area municipality a number of metropolitan wards equal to the number of metropolitan councillors to be elected from that area municipality;

(b) have regard for the guidelines for the delineation of metropolitan wards established by the Minister;

(c) designate the name or number each metropolitan ward shall bear; and

(d) divide, redivide or alter any or all of the local wards in that area municipality in accordance with subsection 152b (2), and designate the name or number each local ward shall bear.

Effective date of order

(3) An order made under subsection (1) shall come into effect on the 1st day of December in the year in which regular elections under the *Municipal Elections Act* occur but the regular elections held in that year shall be conducted as if the order was in effect.

R.S.O. 1980, c. 308

Inquiry by Minister

(4) Where the Minister inquires into the structure, organization and methods of operation of one or more area municipalities or the Metropolitan Corporation, the Minister may give notice to the Municipal Board of such inquiry and that any application and any petition made under subsection (1) should be deferred until the inquiry has been completed and thereupon all proceedings in any such application are stayed until the Minister gives notice to the Municipal Board that they may be continued.

Election of chairman

5c.—(1) At the first meeting of the Metropolitan Council in each year after a regular election at which a quorum is present, the Metropolitan Council shall organize as a council and elect as chairman a metropolitan councillor to hold office for the term of the council and until his or her successor is elected or appointed in accordance with this Act.

Secret ballot

(2) The chairman may be elected by secret ballot if so decided by resolution of the Metropolitan Council.

Clerk to preside

(3) The clerk of the Metropolitan Corporation shall preside at each such first meeting or, if there is no clerk, the members

present shall select a member to preside, and the person so selected may vote as a member.

Adjournment

(4) If, at such first meeting after a regular election, a chairman is not elected, the presiding officer may adjourn the meeting and, if a chairman is not elected at any adjourned meeting held within one week after the first meeting, the Lieutenant Governor in Council shall appoint a metropolitan councillor as chairman to hold office for the term of the council and until his or her successor is elected or appointed in accordance with this Act.

4.—(1) Subsection 6 (1) of the said Act is amended by striking out "after the councils of the area municipalities have held their first meetings under subsection (2), but in any event" in the second, third and fourth lines.

(2) Subsections 6 (3) and (4) of the said Act are repealed and the following substituted therefor:

Certification of qualification

(3) Where a person is elected as a member of the Metropolitan Council or is elected or appointed as mayor of an area municipality, the clerk of the area municipality forthwith after the election or appointment, shall certify under the seal of the area municipality to the clerk of the Metropolitan Corporation the name of each person who has been so elected or appointed, and the person shall not take the seat on the Metropolitan Council to which the person has become entitled until the clerk of the Metropolitan Corporation has received such a certificate in respect of that person.

5. Subsection 8 (2) of the said Act is repealed and the following substituted therefor:

Votes

(2) Each member of the Metropolitan Council has only one vote.

6. Section 9 of the said Act is repealed and the following substituted therefor:

Term of office, heads of council

9. The members of the Metropolitan Council who are heads of council hold office while they hold the office that entitled them to such membership.

7.—(1) Subsection 10 (1) of the said Act is amended by striking out "person" in the third line and inserting in lieu thereof "metropolitan councillor".

(2) Subsection 10 (2) of the said Act is repealed and the following substituted therefor:

(2) Where a vacancy occurs in the office of the chairman who has been elected under subsection 5c (1), the Metropolitan Council shall, at a general or special meeting to be held within twenty days after the vacancy occurs, elect a chairman who shall be a metropolitan councillor to hold office for the remainder of the term of his or her predecessor. Idem

(3) Subsection 10 (3) of the said Act is amended by striking out "person" ~~in the~~ third line and inserting in lieu thereof "metropolitan councillor".

(4) Clause 10 (3c) (b) of the said Act, as enacted by the Statutes of Ontario, 1982, chapter 29, section 2, is amended by striking out "member of the council of an area municipality" in the first and second lines and inserting in lieu thereof "metropolitan councillor".

(5) Subsection 10 (3e) of the said Act, as enacted by the Statutes of Ontario, 1982, chapter 29, section 2, is amended by striking out "or the council of the area municipality, as the case may be" in the third and fourth lines.

(6) Subsection 10 (4) of the said Act, as re-enacted by the Statutes of Ontario, 1985, chapter 2, section 2, is repealed and the following substituted therefor:

(4) Where a vacancy occurs on or before the 31st day of March of an election year, as defined in the *Municipal Elections Act*, in the office of a member who is a metropolitan councillor, Vacancies R.S.O. 1980, c. 308

(a) the Metropolitan Council shall appoint a person to fill that vacancy, and sections 45 and 47 of the *Municipal Act* apply with necessary modifications to the filling of every such vacancy; or R.S.O. 1980, c. 302

(b) the clerk of the area municipality for which the vacancy occurs shall hold an election to fill the vacancy in accordance with section 92 of the *Municipal Elections Act*,

as determined by by-law of the Metropolitan Council.

(4a) Where a vacancy occurs after the 31st day of March of an election year, as defined in the *Municipal Elections Act*, in the office of a member who is a metropolitan councillor, the Metropolitan Council shall fill every such vacancy and subsection 46 (3) of the *Municipal Act* applies with necessary modifications to the filling of the vacancy. Idem

(7) Subsection 10 (5) of the said Act is repealed and the following substituted therefor:

Election expenses

(5) The Metropolitan Corporation shall pay all reasonable expenses incurred by the area municipality with respect to the election under clause (4) (b).

Resignation of chairman

(6) The chairman may resign his or her office by notice in writing filed with the clerk of the Metropolitan Corporation and the office then becomes vacant.

Vacancy when council not in session

(7) Where for any cause a vacancy occurs in the office of the chairman when the Metropolitan Council is not in session, the clerk of the Metropolitan Corporation shall forthwith notify the members of the vacancy and, if required in writing to do so by a majority of them, the clerk shall call a special meeting of the Metropolitan Council to fill the vacancy.

8. Section 11 of the said Act, as amended by the Statutes of Ontario, 1982, chapter 29, section 3, 1984, chapter 18, section 3 and 1985, chapter 2, section 3, is repealed.

9. Section 13 of the said Act is repealed and the following substituted therefor:

Committees

13.—(1) The Metropolitan Council may establish standing or other committees, including an executive committee, and assign to them such duties as it considers expedient.

Chairman of executive committee

(2) Where the Metropolitan Council establishes an executive committee, the chairman of the Metropolitan Council shall be the chairman of and a member of such committee.

Delegation to executive committee

(3) If the Metropolitan Council establishes an executive committee, the Metropolitan Council may by by-law,

(a) authorize the executive committee to exercise the powers set out in section 12 and subsection 97 (3); and

(b) delegate authority to the executive committee under section 200.

10.—(1) Subsection 152 (1) of the said Act, as amended by the Statutes of Ontario, 1987, chapter 10, section 39, is repealed and the following substituted therefor:

Composition of council

(1) The council of each area municipality shall be composed of a mayor elected by general vote who shall be the head of council and,

(a) if the area municipality has two or three wards, two or three councillors for each ward; or

(b) if the area municipality has four or more wards, one, two or three councillors for each ward.

(2) Subsection 152 (2) of the said Act, as re-enacted by the Statutes of Ontario, 1987, chapter 10, section 39, is repealed and the following substituted therefor:

(2) The council of each area municipality may establish standing or other committees and assign to them such duties as it considers expedient. Committees

(3) Subsections 152 (3) and (4) of the said Act are repealed and the following substituted therefor:

(3) Notwithstanding sections 67 and 68 of the *Municipal Act*, no area municipality shall have a board of control. No boards of control R.S.O. 1980, c. 302

(4) Subsection 152 (5) of the said Act, as amended by the Statutes of Ontario, 1984, chapter 18, section 12, is repealed.

11. Section 152a of the said Act, as enacted by the Statutes of Ontario, 1985, chapter 2, section 4 and amended by the Statutes of Ontario, 1987, chapter 10, section 39, is repealed.

12. The said Act is further amended by adding thereto the following section:

152b.—(1) Notwithstanding the *Municipal Act*, upon the application of an area municipality authorized by a by-law of the council thereof, or upon the petition of the electors of that area municipality in accordance with section 13 of the *Municipal Act*, the Municipal Board may, after the 1st day of December, 1988, by order, Alteration of local wards by O.M.B.

(a) divide or redivide the area municipality into two or more local wards and shall designate the name or number each local ward shall bear;

(b) alter any or all of the local wards in the area municipality; or

(c) subject to subsection 152 (1), vary the composition of the council of the area municipality,

provided that the mayor of the area municipality shall continue to be elected by a general vote of the electors of the area municipality, shall be the head of council of the area

municipality, and shall be a member of the Metropolitan Council.

Contents of order

(2) In making an order under subsection (1), the Municipal Board shall, subject to clause (1) (a),

(a) establish in the area municipality a number of local wards equal to the number of metropolitan wards in that area municipality with the boundaries of the local wards being identical to the boundaries of the metropolitan wards in that area municipality; or

(b) establish in the area municipality a number of local wards equal to a multiple in whole numbers of the number of metropolitan wards in that area municipality and divide or redivide each of the metropolitan wards into two or more local wards, as the case may be, but each local ward shall be located entirely within one metropolitan ward.

Effective date of order

R.S.O. 1980, c. 308

(3) An order made under subsection (1) shall come into effect on the 1st day of December in the year in which regular elections under the *Municipal Elections Act* occur but the regular elections held in that year shall be conducted as if the order was in effect.

Inquiry by Minister

(4) Where the Minister inquires into the structure, organization and methods of operation of one or more area municipalities or the Metropolitan Corporation, the Minister may give notice to the Municipal Board of such inquiry and that any application and any petition made under subsection (1) should be deferred until the inquiry has been completed and thereupon all proceedings in any such application are stayed until the Minister gives notice to the Municipal Board that they may be continued.

13. Subsection 245 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1984, chapter 18, section 17, is amended by inserting after "78b" in the second line "subsection 9 (1), section".

Transitional and repeal

14. Section 5a of the said Act, as enacted by section 3 of this Act, is repealed on the 1st day of December, 1988 but any order of the Lieutenant Governor in Council under section 5a remains valid until altered by an order of the Municipal Board under section 5b.

Commencement

15.—(1) This Act, except section 2, sections 4 to 11 and section 13, comes into force on the day it receives Royal Assent.

(2) Section 2, sections 4 to 11 and section 13 come into force on the 1st day of December, 1988. Idem

(3) Notwithstanding subsection (2), the regular elections to be held in 1988 under the *Municipal Elections Act* in the area municipalities shall be conducted as if section 2, sections 4 to 11 and section 13 were in force. Idem R.S.O. 1980, c. 308

16. The short title of this Act is the *Municipality of Metropolitan Toronto Amendment Act, 1987*. Short title